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F. #2016R02164/OCDETF #NYYE-801

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

[REDACTED] and
RAFAEL FUENTES,
also known as "Dorado" and "Rafita,"

Defendants.

----- X

THE GRAND JURY CHARGES:

INDICTMENT

CR 17 00158

(T. 21, U.S.C., §§ 841(b)(1)(A)(i), 846,
853(a), 853(p), 959(d), 960(b)(1)(A),
963 and 970; T. 18, U.S.C., §§ 3238 and
3551 et seq.)

DONNELLY, J.

SCANLON, M.J.

COUNT ONE

(International Heroin Distribution Conspiracy)

1. In or about and between January 2016 and March 2017, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendants [REDACTED] and RAFAEL FUENTES, also known as "Dorado" and "Rafita," together with others, did knowingly and intentionally conspire to distribute a controlled substance, intending, knowing and having reasonable cause to believe that such substance would be unlawfully imported into the United States from a place outside thereof, which offense involved a substance containing heroin, a schedule I controlled substance, contrary to Title 21, United States Code, Sections 959(a) and

960(a)(3). The amount of heroin involved in the conspiracy attributable to each defendant as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was at least one kilogram or more of a substance containing heroin.

(Title 21, United States Code, Sections 963, 960(b)(1)(A) and 959(d); Title 18, United States Code, Sections 3238 and 3551 et seq.)

COUNT TWO
(Heroin Importation Conspiracy)

2. In or about and between January 2016 and March 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants [REDACTED] and RAFAEL FUENTES, also known as “Dorado” and “Rafita,” together with others, did knowingly and intentionally conspire to import a controlled substance into the United States from a place outside thereof, which offense involved a substance containing heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 952(a) and 960(a)(1). The amount of heroin involved in the conspiracy attributable to each defendant as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was at least one kilogram or more of a substance containing heroin.

(Title 21, United States Code, Section 963 and 960(b)(1)(A); Title 18, United States Code, Sections 3551 et seq.)

COUNT THREE
(Heroin Distribution Conspiracy)

3. In or about and between January 2016 and March 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants [REDACTED] and RAFAEL FUENTES, also known as "Dorado" and "Rafita," together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1). The amount of heroin involved in the conspiracy attributable to each defendant as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was at least one kilogram or more of a substance containing heroin.

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(i); Title 18, United States Code, Sections 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

4. The United States hereby gives notice to the defendants charged in this indictment that, upon their conviction of any of the offenses charged herein, the government will seek forfeiture in accordance with Title 21, United States Code, Sections 853(a) and 970, which require any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses, and

(b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

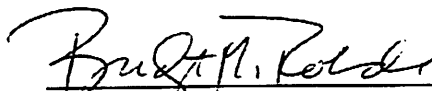
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a), 853(p) and 970)

A TRUE BILL



FOREPERSON



BRIDGET M. ROHDE
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No. _____

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

_____ and
RAFAEL FUENTES, also known as "Dorado" and "Rafita."

Defendants.

INDICTMENT

(T. 21, U.S.C., §§ 841(b)(1)(A)(i), 846, 853(a), 853(p), 959(d),
960(b)(1)(A), 963 and 970; T. 18, U.S.C., §§ 3238 and
3551 et seq.)

A true bill.

Jorge A. Helms

Foreperson

Filed in open court this _____ day.

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Ryan C. Harris, Assistant U.S. Attorney (718) 254-6489
G. Karthik Srinivasan, Assistant U.S. Attorney (718) 254-6013